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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,892	09/19/2003	Mark Davis	1070P3822	6988

53483 7590 03/18/2009

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EXAMINER	
TRAN, TUYETLIEN T	
ART UNIT	PAPER NUMBER
2179	

NOTIFICATION DATE	DELIVERY MODE
03/18/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/665,892	DAVIS ET AL.	
	Examiner	Art Unit	
	TUYETLIEN T. TRAN	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 January 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the following communication: the amendment filed on 01/26/09. **This action is made final.**

2. Claims 1-48 are pending in the case. Claims 1, 14, 24 and 36 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-3, 8, 14-16, 36-38 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaval et al (Pub. No. US 2007/0209019 A1; hereinafter Kaval) in view of Kanevsky et al. (Pub. No. US 2002/0089546 A1; hereinafter Kanevsky).

As to claim 1, Kaval teaches:

A method for displaying information in a handheld device (e.g., see Abstract and Fig. 1), comprising:

displaying information in a plurality of dynamically sizable active cells in a display screen of said handheld device (e.g., see Fig. 1 and [0005], [0021]; wherein information are displayed in dynamically sizable zones); and

dynamically and automatically sizing cells of said plurality of active cells in response to changes in the content information to be displayed in the active cells (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]; wherein the relative heights of the windows 24, 26 shown in Fig. 3 are sized dependent on the content of each window 24, 26), and wherein the dynamically and automatically sizing comprises adjusting a size of a first dynamically sizable active cell in response to a change in the content information displayed in said first dynamically sizable active cell (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]; wherein the relative heights of the windows 24, 26 shown in Fig. 3 are sized dependent on the content of each window 24, 26) and an amount of available space in a second dynamically sizable active cell (e.g., see Fig. 3 and [0025]; wherein the size of the window/zone 26 is also dependent on available height/space of the window 24).

While Kaval teaches that adjusting a size of a dynamically sizable active cell in response to a change in the content information displayed in the dynamically sizable cell, Kaval does not expressly teach the adjusting a cell is in response to a change in an amount of information displayed in the dynamically sizable cell. However, the feature of adjusting a size of a dynamically sizable cell in response to a change in an amount of information displayed in the dynamically sizable cell is disclosed by kanevsky (e.g., [0002], [0005], [0020]; wherein automatically and dynamically sizing and reshaping a window is based on the content displayed in the window; i.e., the amount of text on a line, [0005]). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the dynamically sizable cell as taught by Kaval to include the feature of dynamically and

automatically sizing a window based on the amount of information displayed as taught by Kanevsky to achieve the claimed invention. One would have been motivated to make such a combination is to better utilize the available space having relatively small display screen.

As to claim 14, claim 14 reflects the system-comprising memory coupled to a bus; a processor coupled to said bus; and a display screen coupled to said bus (e.g., see Fig. 1), wherein said memory comprises instructions for implementing a method as claimed in claim 1, and is rejected along the same rationale.

As to claim 36, claim 36 reflects the article-comprising a storage medium containing instructions that if executed enable a system to implemented a method as claimed in claim 1, and is rejected along the same rationale.

As to claims 2, 15 and 37, Kaval further teaches wherein said dynamically and automatically sizing is performed also in response to the number of active cells of said plurality of cells (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032]).

As to claims 3, 16, and 38, Kaval further teaches wherein said sizing comprises adjusting a size of said first cell in response to content information displayed in said second cell (e.g., Figs. 1, 3, [0005], [0021], [0024], [0025], [0028], [0032]). Kanevsky teaches the feature of dynamically and automatically adjusting windows in response to a change in an amount of information displayed in the windows (e.g., [0002], [0005], [0020]). Thus, combining Kaval and Kanevsky would meet the claimed limitations for the same reasons as set forth in claim 1.

As to claims 8 and 43, Kaval teaches display screen is a touch-screen display (e.g., [0053]).

5. Claims 4-7, 17-20, 24-35, 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaval in view of Kanevsky further in view of Wagner (Pub No US 2004/0155909 A1; hereinafter Wagner).

As to claim 24, Kaval teaches:

A computer user interface (e.g., Abstract and Fig. 1) comprising:

a display to present a plurality of dynamically sizable active on-screen displayable cells for presenting categories of information therein (e.g., Fig. 1 and [0005], [0021]), wherein said plurality of active cells comprise a first cell and a second cell (e.g., Fig. 1 and [0021]) and wherein said first cell is automatically dynamically sized based on its content and also based on content of said second cell (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]; wherein the relative heights of the windows 24, 26 shown in Fig. 3 are sized dependent on the content of each window 24, 26).

While Kaval teaches that adjusting a size of a dynamically sizable active cell in response to a change in the content information displayed in the dynamically sizable cell, Kaval does not expressly teach the adjusting a cell is in response to a change in an amount of information displayed in the dynamically sizable cell. However, it would have been motivated to make such a combination to achieve the claimed invention for the same reasons as set forth in the foregoing rejection of claim 1.

Kaval further teaches the user interface can be applied for portable computing devices such as personal digital assistants (PDAs), Pocket Personal Computers (PPCs), Handheld PCs (HPCs) (e.g., see Figs. 1, 2, [0002], [0018]) that are known for use to organize daily information,

Kaval does not expressly disclose presenting categories of daily information. However, this feature is disclosed by Wagner, wherein Wagner teaches the feature of displaying information in a handheld device (e.g., a context-based display on a mobile device, see [0046]). Wagner teaches a plurality of dynamically sizable active on-screen displayable cells for presenting categories of daily information therein (e.g., see Fig. 3 and Fig. 4; note the items displayed in cells are either selectable by a user or updated live, see [0047] and [0059]). Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the feature of presenting categories of information in Kaval to include the feature of presenting categories of daily information in a portable device as taught by Wagner to achieve the claimed invention. One would have been motivated to make such a combination is to provide the ability for the user to easily access daily information anywhere the user goes.

As to claim 25, Kaval teaches wherein said second cell is automatically dynamically sized based on its content and also based on content of said first cell (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]; wherein the relative heights of the windows 24, 26 shown in Fig. 3 are sized dependent on the content of each window 24, 26). Kanevsky teaches the feature of dynamically and automatically adjusting windows in response to a change in an amount of information displayed in the windows (e.g., [0002], [0005], [0020]). Wagner further teaches wherein said second cell is automatically dynamically sized based on its content and also based on content of said first cell (e.g., see Fig. 8A-8G and [0089]). Thus, combining Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 26, Wagner further teaches wherein said first cell displays daily event information (e.g., tertiary tray displays 'ski' event information, see Fig. 4). Thus, combining

Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 27, Wagner further teaches wherein said second cell displays daily to-do information (e.g., main portion displays '10 am Johnson', see Fig. 3). Thus, combining Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 28, Wagner further teaches comprising a third cell of fixed size for on-screen displaying of daily message information (e.g., ticker tape display 402 for displaying weather report and stock quotes, see Fig. 3 and 4). Thus, combining Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 29, Kaval teaches wherein display of cells of said plurality of cells is capable of being suppressed and wherein said first cell is enlarged in response to display of said second cell being suppressed (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]). Wagner further teaches wherein display of cells of said plurality of cells is capable of being suppressed and wherein said first cell is enlarged in response to display of said second cell being suppressed (e.g., see main portion and tertiary tray shown in Fig. 3 and Fig. 4). Thus, combining Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 30, Wagner further teaches wherein display of cells of said plurality of cells is capable of being suppressed and wherein said second cell is enlarged in response to said third cell (as mentioned above, this limitation is interpreted as said first cell) being suppressed (e.g., see main portion and tertiary tray shown in Fig. 3 and Fig. 4). Thus, combining Wagner,

Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 31, Kaval teaches wherein display of cells of said plurality of cells is capable of being suppressed (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]). Wagner further teaches wherein display of cells of said plurality of cells is capable of being suppressed (e.g., see main portion and tertiary tray shown in Fig. 3 and Fig. 4). Thus, combining Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 32, Kaval teaches wherein display of cells of said plurality of cells is capable of being suppressed and wherein said first cell is enlarged in response to display of said second cell being suppressed (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]). Wagner teaches wherein display of cells of said plurality of cells is capable of being suppressed and wherein said first cell is enlarged in response to display of said second cell being suppressed (e.g., see main portion and tertiary tray shown in Fig. 3 and Fig. 4). Thus, combining Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 33, Wagner further teaches wherein said first cell comprises a minimum size definition and wherein further said first cell is decreased in size if its content requires less size than its minimum size definition (e.g., see Fig. 8A-D). Thus, combining Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 34, Wagner further teaches wherein said first cell is increased in size provided its content requires more size than its minimum size definition and provided further that

said second cell is decreased in size below its minimum size definition (e.g., see 8H). Thus, combining Wagner, Kanevsky and Kaval would meet the claimed limitations for the same reasons set forth in claim 24 above.

As to claim 35, Wagner further teaches wherein said first cell displays daily event information (e.g., tertiary tray displays 'ski' event information, see Fig. 4), wherein said second cell displays daily to-do information (e.g., main portion displays '10 am Johnson', see Fig. 3) and further comprising a third cell of fixed size for on-screen displaying of daily message information (e.g., ticker tape display 402 for displaying weather report and stock quotes, see Fig. 3 and 4).

As to claims 4, 17 and 39, Kaval and Kanevsky teach the limitations of claims 2, 15 and 37 for the same reasons as set forth above. Kaval further teaches each of said cells of said plurality of cells comprises a different category of information (e.g., Fig. 1 and [0005], [0021]). Kaval and Kanevsky do not teach presenting categories of daily information. However, this feature is disclosed by Wagner; wherein Wagner teaches each of said cells of said plurality of cells comprises a different category of daily information (e.g., ticker tape display 402 can present weather report and stock quotes while main portion can display event information such as 'home game', '10 am Johnson', see Fig. 3, 8G and [0059]). Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the teaching of Kaval and Kanevsky to include the feature of presenting different category of daily information in different cells taught in Wagner to achieve the claimed invention for the same reasons as set forth in claim 24 above.

As to claims 5, 18, and 40, Wagner further teaches wherein one category is daily event information (e.g., 'home game, '10 am Johnson', see Fig. 8G). Thus, combining Kaval,

Kanevsky and Wagner would meet the claimed limitations for the same reasons as set forth in claim 24 above.

As to claims 6, 19 and 41, Wagner further teaches wherein one category is daily to-do information (e.g., 'movie invite', '10 am Johnson', see Fig. 8G and [0077]). Thus, combining Kaval, Kanevsky and Wagner would meet the claimed limitations for the same reasons as set forth in claim 24 above.

As to claims 7, 20 and 42, Wagner further teaches wherein one category is daily message information (e.g., item 804 in Fig. 8B). Thus, combining Kaval, Kanevsky and Wagner would meet the claimed limitations for the same reasons as set forth in claim 24 above.

6. Claims 9-13, 21-23 and 44-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaval in view of Kanevsky further in view of Kato et al. (Patent No US 6297795 B1, hereinafter Kato).

As to claims 9, 21 and 44, Kaval and Kanevsky teach the limitations of claims 1, 14 and 36 for the same reasons as discussed with respect to claims 1, 14 and 36 above. Kaval teaches the feature of adjusting the sizes of the cells based on the orientation of the display (e.g., see Figs. 1, 2), Kaval and Kanevsky do not expressly teach that the display screen is switchable between a small display mode which is substantially square in shape and a tall display mode which is substantially rectangular in shape.

In the same field of endeavor of displaying information in a portable device (e.g., see Kato col. 12 lines 8-24), Kato, though, teaches display screen is switchable between a small display mode which is substantially square in shape and a tall display mode which is

substantially rectangular in shape (e.g., display device is switchable between wide space and narrow space and between portrait and landscape mode, see Fig. 12-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used display mode switching function as taught by Kato to the display of the portable device used to display information as taught by Kaval and Kanevsky because Kaval's teaching can be applied to any type of mobile device such as PDA (e.g., see Kaval Figs. 1, 2, [0002], [0018]). One would have been motivated to make such a combination is to enhance the user experience with the small display device because the user may find a portrait or landscape display more pleasant depending on the document content.

As to claims 10, 22 and 45, Kato further teaches substantially rectangular display screen is oriented in a portrait mode (e.g., display device is switchable between portrait and landscape mode, see Fig. 12-14). Thus, combing Kaval, Kanevsky and Kato would meet the claimed limitations for the same reasons as discussed with respect to claims 9, 21 and 44 above.

As to claims 11, 23 and 46, Kato further teaches substantially rectangular display screen is oriented in a landscape mode (e.g., display device is switchable between portrait and landscape mode, see Fig. 12-14). Thus, combing Kaval, Kanevsky and Kato would meet the claimed limitations for the same reasons as discussed with respect to claims 9, 21 and 44 above.

As to claims 12 and 47, Kaval further teaches suppressing display of a first cell of said plurality of cells (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]).

As to claims 13 and 48, Kaval further teaches enlarging the area of a second cell in response to said first cell being suppressed (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]).

Response to Arguments

7. Applicant's arguments filed 01/26/09 have been fully considered but they are moot in new ground(s) of rejection.

a) Applicant argues that the prior art of Kaval and Kanevsky do not teach "dynamically and automatically sizing cells of said plurality of active cells in response to changes in the amount of said information an amount of available space in a second dynamically sizable active cell" (e.g., see Applicant's remark page 13, paragraph 4).

In response, the examiner respectfully disagrees and directs the applicant to the fact that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Kaval clearly teaches that dynamically and automatically sizing cells of said plurality of active cells in response to changes in the content information to be displayed in said active cells (e.g., Fig. 1, [0005], [0021], [0024], [0028], [0032], [0044]; wherein the relative heights of the windows 24, 26 shown in Fig. 3 are sized dependent on the content of each window 24, 26). Kaval teaches the dynamically and automatically sizing is also in response to an amount of available space in a second dynamically sizable active cell (e.g., see Fig. 3 and [0025]; wherein if the required height of window 24 < user preference height; in this case, there is available space in the window 24; as the result, the height of window 26 is adjusted accordingly: i.e., height of window 26 = total of available height – the height of window 24 (only the required height it takes to display window

24)). The examiner then admits that While Kaval teaches that adjusting a size of a dynamically sizable active cell in response to a change in the content information displayed in the dynamically sizable cell, Kaval does not expressly teach the adjusting a cell is in response to a change in an amount of information displayed in the dynamically sizable cell. However, the feature of adjusting a size of a dynamically sizable cell in response to a change in an amount of information displayed in the dynamically sizable cell is disclosed by Kanevsky (e.g., [0002], [0005], [0020]; wherein automatically and dynamically sizing and reshaping a window is based on the content displayed in the window; i.e., the amount of text on a line, [0005]). Therefore, combining Kaval and Kanevsky would meet the claimed limitations for the same reasons as set forth in the foregoing rejection of claim 1.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275,277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. T. T./
Examiner, Art Unit 2179

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179